

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

KENNETH D. RAMSEY, TRUSTEE OF )  
RAMSEY FAMILY REVOCABLE )  
LIVING TRUST, )

Plaintiff, )

v. )

Case No. CIV-15-443-D

ALTEIRA EXCESS & SURPLUS )  
INSURANCE COMPANY, et al., )

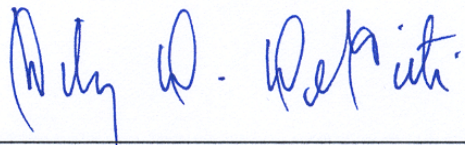
Defendants. )

**ORDER**

Before the Court is Defendant Alterra Excess & Surplus Insurance Company's Motion for Partial Dismissal [Doc. No. 5]. Defendant moves for dismissal of certain claims brought in Plaintiff's Complaint. Subsequent to the filing of Defendant's motion, however, Plaintiff filed an Amended Complaint [Doc. No. 6]. The filing of an amended complaint "supercedes an original complaint and renders the original complaint without legal effect." *Mink v. Suthers*, 482 F.3d 1244, 1254 (10th Cir.2007); *see also Davis v. TXO Prod. Corp.*, 929 F.2d 1515, 1517 (10th Cir. 1991). Thus, Defendant's motion to dismiss the claims asserted against it in the original complaint is rendered moot by the filing of the Amended Complaint.

IT IS THEREFORE ORDERED that Defendant Alterra Excess & Surplus Insurance Company's Motion for Partial Dismissal [Doc. No. 5] is STRICKEN as MOOT.

IT IS SO ORDERED this 11<sup>th</sup> day of  
June, 2015.



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TIMOTHY D. DEGIUSTI  
UNITED STATES DISTRICT JUDGE